

## Chapter 1

# PURPOSE AND NEED

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## 1.1 INTRODUCTION

The U.S. Department of the Interior (DOI)<sup>1</sup> Bureau of Land Management (BLM) administers approximately 245 million acres of public land in the United States. This administrative responsibility consists of stewardship, conservation, and resource use. The mission of the BLM is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. The BLM is committed to managing, protecting, and improving public lands in a manner to serve public interest, building on the principles of multiple use and sustainability.

In February 2008, the City of Goodyear (City) submitted an application for a permanent right-of-way (ROW) to the BLM for the construction and operation of a two- to six-lane, approximately 15- to 18-mile-long parkway; the total length of the proposed parkway depends on the alternative or sub-alternative selected and authorized by the BLM (if a sub-alternative is selected, it would not add to the 15- to 18-mile-long total). Goodyear's application is for a 250-foot-wide ROW to allow for the construction, operation, and maintenance of up to a six-lane Parkway. Portions of the proposed Parkway would be located on BLM lands administered by the Lower Sonoran Field Office, as well as on private and Arizona State Land Department (ASLD) lands.

The National Environmental Policy Act of 1969 (42 United States Code [USC] 4321 *et seq.*) (NEPA) requires federal agencies, in their decision-making processes, to consider the impacts of their proposed actions on the human environment. NEPA also requires that a practical range of reasonable alternatives be considered and evaluated; these alternatives must meet the purpose of and need for the Sonoran Valley Parkway Project (SVPP) while minimizing or avoiding environmental impacts. The intent of NEPA analyses is to disclose the effects of federal actions and to inform agency decision makers. To meet NEPA requirements, federal agencies must prepare a detailed statement—in this case an environmental impact statement (EIS)—describing the direct, indirect, and cumulative effects of their proposed actions and alternatives to those actions on the human environment. The EIS must also describe 1) any unavoidable or residual (i.e., unable to be mitigated) adverse impacts that would result from implementing the Proposed Action or alternatives; 2) the relationship between the short-term uses of the land (i.e., the Proposed Action and alternatives) and the long-term productivity of the human environment; and 3) any irreversible and irretrievable commitments of resources that would result from implementing the Proposed Action or alternatives.

This EIS analyzes and discloses the environmental impacts of alternatives considered in detail, including the No Action Alternative (all alternatives are described in detail in Chapter 2). This EIS does not contain final decisions regarding the Proposed Action or other alternatives.

Decisions made regarding the project will be documented in a Record of Decision (ROD) signed by the authorized officer, the Field Manager for the BLM Lower Sonoran Field Office. The BLM decision will apply only to federal public lands.

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<sup>1</sup> See Appendix A for list of acronyms and abbreviations.

## 1.2 BACKGROUND

The City of Goodyear is located in Maricopa County, approximately 20 miles west-southwest of Phoenix, Arizona. The City added to its Municipal Planning Area (MPA) an additional 95 square miles known as the Sonoran Valley Planning Area (SVPA) through Resolution 07-1113, passed on January 8, 2007. The 95 square miles that make up the SVPA consist of approximately 8.7% ASLD lands, 39.8% privately owned land, and 51.5% BLM lands. In May 2007, the City annexed 67 square miles of its MPA (about 70% of the SVPA) to include lands located adjacent to the City's existing southern planning area boundary. The SVPA is bounded to the northeast, east, and south by the Sierra Estrella Mountains (which divide Maricopa County to the west and Pinal County to the east), Estrella Mountain Regional Park, the Gila River Indian Community, and the city of Maricopa, respectively. The SVPA is bounded to the west and southwest by the Sonoran Desert National Monument (SDNM). The area was previously located within unincorporated Maricopa County. Figure 1-1 shows the SVPA (City 2007).

### 1.2.1 Sonoran Valley Planning Area

The City determined that because of current and continuing growth on lands in the SVPA, annexation of the area was necessary to better manage growth and development for current and future residents and address the need for public facilities and services in the SVPA. Annexation of BLM lands does not change jurisdictional ownership; therefore, newly annexed SVPA lands will remain under BLM management. The community of Mobile is located in the south end of the SVPA. The estimated population of the SVPA would be more than 200,000 residents at full build-out; proposed land uses within the SVPA are expected to generate more than 1 million trips on a typical weekday at full build-out (see the Reasonably Foreseeable Development [RFD] scenario presented in Appendix B). Build-out is defined as when the City's General Plan has been fully implemented. There is no set time frame for build-out, but it is generally assumed to be within the next 40 to 60 years (e.g., 2053–2073).

Planning for the SVPA will follow a master-planned approach, which allows for planning at a large scale and considers recommended zoning and land use strategies to guide future development. Planning and development of the SVPA anticipates a mix of residential, employment, and supportive land uses within the 67 square miles. To service the anticipated mix of residential, employment, and other land uses (e.g., open space, educational, etc.), a major arterial street or roadway would be needed for the SVPA to connect the newly annexed area to the balance of the City. The primary purpose of the proposed SVPP would be to provide residents of the SVPA with access to and from the city of Goodyear, which is now geographically separate (i.e., residents in the community of Mobile, Arizona), to facilitate traffic movement that would result from growth in the area, and to provide a transportation route that allows for timely emergency services (police, fire, ambulance) response to residents in the SVPA (City 2009a). The secondary purpose of the SVPP is to improve connectivity, along with other future roadway corridors, as identified by the Maricopa Association of Governments (MAG) in the regional transportation planning process (see the *Hidden Valley Transportation Framework Study* [MAG 2009]).

The proposed master-planned approach of the SVPA allows for the integration of mutually supportive land uses and allows for many of the trips to be internal to the SVPA, meaning that the majority of the trips generated by these land uses will have both the trip origin and destination within the SVPA.

### 1.2.2 Current Sonoran Valley Planning Area Mobility

Figure 1-1 shows the SVPA and Goodyear city limits and Municipal Planning Boundary; these are the areas that the SVPP would service. Currently, residents in and around the community of Mobile and the city of Maricopa have only two viable options for commuting to and from the municipal boundaries of

Goodyear: 1) an easterly route that uses State Route (SR) 238 east to SR 347 (Maricopa Road), SR 347 north to 51st Avenue, 51st Avenue to Interstate 10 (I-10), and I-10 west to Goodyear—a total distance of over 55.5 miles; or 2) a westerly route that uses SR 238 west to SR 85, SR 85 to I-10, and I-10 east to Goodyear—a total distance of about 68.0 miles. Recent population growth has created peak traffic volumes on area roadways that have significantly reduced the operating conditions on these roadways. Some residents of Mobile, as well as others from outside the community, have been using the unpaved El Paso Natural Gas (EPNG) pipeline maintenance road to travel to and from Mobile and the core areas of Goodyear. Such use is not recommended by the BLM because EPNG’s authorization to use the ROW does not include public travel and creates safety concerns around buried pipelines.

The maintenance road runs northwest-southeast and generally parallels the eastern boundary of the SDNM. Four existing natural gas pipelines (three EPNG gas lines and one Transwestern gas line) are buried directly beneath the maintenance road, but in some places they lie only a few inches beneath the surface and pose a safety threat to the vehicles driving over them. Unauthorized vehicles using the maintenance road also exacerbate erosion problems. Moreover, the lack of alternate routes contributes to the need for a publicly available, safe route and contributes to the need for residents to travel along this unpaved road. This would thus alleviate safety concerns and significantly reduce continuing degradation of the EPNG maintenance road (personal communication, Krauss 2007). In addition, it is anticipated that availability of a direct paved route between the city of Goodyear and the community of Mobile would greatly reduce fugitive dust and unauthorized use of the EPNG pipeline maintenance road.

A major arterial street is designed with the primary purpose of vehicular mobility over moderate to extended trip lengths. Major arterial streets provide a low level of direct property access, with left-turn access restricted to a limited number of left-turn opportunities per mile. These streets typically carry between 24,000 and 48,000 vehicles per day and provide route continuity between neighboring areas. A major arterial is generally an at-grade roadway composed of up to six lanes, in addition to bike lanes and sidewalks, a raised median, and landscape tracts.

### 1.2.3 Future Sonoran Valley Planning Area Mobility

To accommodate growth within the SVPA, the City determined that a major arterial road (the Sonoran Valley Parkway) would be needed to provide more direct access to residents in the newly annexed area. The addition of a continuous, non-fragmented route would facilitate mobility and reduce the potential for a future transportation capacity deficiency.

The current population in Goodyear is approximately 65,000 (U.S. Census Bureau [Census Bureau] 2010) and is expected to reach more than 358,000 by 2035 and more than 511,000 at full build-out (MAG 2009). As previously discussed, build-out is defined as when the City’s General Plan has been fully implemented. There is no set time frame for build-out, but it is generally assumed to be within the next 40 to 60 years (e.g., 2053–2073). Current population in the SVPA is approximately 100 individuals. At the present time, there is no viable or convenient network of roads to provide direct access from Goodyear to Mobile in the SVPA. Travelers and residents use a combination of SR 238, SR 85, SR 347, I-10, and other local roads for access, thus lengthening travel time and contributing to congestion on these roadways.

The purpose of the SVPP derives from a combination of regional and local planning documents that show a strong correlation between forecasted population growth and future transportation need within the SVPA. The development of transportation plans by metropolitan planning organizations, such as MAG, and municipalities, such as Goodyear, requires wide-ranging coordination and consultation with the public, government agencies, affected stakeholders, and tribes, in addition to quantitative population and employment forecasting models. These broad-based planning efforts establish a vision for the region’s

future transportation system, define transportation goals and objectives for realizing that vision, and determine a time frame for implementation:

- The MAG 2010 Regional Transportation Plan Update (MAG 2010) accepts the SVPP as an “illustrative” corridor, according to the recommendations of the *Hidden Valley Transportation Framework Study* (MAG 2009), which shows the SVPP as a future parkway that is currently unfunded.
- In 2006, the City developed the Traffic Analysis Report for the SVPA, which provides an evaluation of expected traffic conditions based on trip generation estimates, given future land uses. The results of this report show more than 1 million trips being generated on a typical weekday, with the majority being home based, or generated by residential land uses.

The proposed project requires BLM approval of a permanent ROW for the construction, operation, and maintenance of an arterial roadway alignment across federal lands; thus, this project requires federal action. The BLM has determined that preparation of an EIS under NEPA is necessary to comprehensively analyze potential environmental impacts of this project.

The exact location of the proposed State Route Loop 303 (SR 303L) alignment (providing a north-south connection between the proposed I-11 Hassayampa Freeway and SR 30 in Maricopa, Arizona) is currently under study and has not been identified by the Arizona Department of Transportation (ADOT). As of December 2012, the proposed alignment of SR 303L south of I-10 is unknown; however, the planned roadway will ultimately have five lanes in each direction, in keeping with the typical freeway network throughout metropolitan Phoenix. A feasibility study of SR 303L is under development as of this publication date. In terms of scheduling, this portion of the SR 303L, from the Hassayampa Freeway to SR 30, was originally funded for fiscal years 2024 and 2025; however, as a result of the economic downturn, funding is no longer allocated in the Regional Transportation Plan Freeway Program. Therefore, the relevance of SR 303L to SVPP is remote and speculative since it is currently unfunded, in the initial stages of feasibility study, and would not provide a viable alternative transportation connection.

## 1.3 PURPOSE AND NEED

The BLM’s purpose of and need for this action is to respond to the City’s ROW application under Title V of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701 *et seq.*) for a ROW grant to construct, operate, and maintain a proposed two- to six-lane Parkway in compliance with FLPMA, BLM ROW regulations, and other applicable federal laws. The BLM will decide whether to approve, approve with modification, or deny issuance of a ROW grant to the City for the proposed project.

### 1.3.1 Purpose of the Action

Specifically, the BLM’s purposes in considering the project are as follows:

- To process ROW application AZA-34177 submitted by the City to construct a new, permanent, two- to six-lane, public major arterial road (Parkway) for year-round use from southern Goodyear to SR 238 near Mobile.
- To meet public needs for use authorizations, such as ROWs, permits, leases, and easements, while avoiding or minimizing adverse impacts to other resource values and locating the uses in conformance with land use plans.

## 1.3.2 Need for the Action

The BLM's need in considering the Proposed Action is to comply with Title V of FLPMA (43 USC 1761–1771). The BLM is authorized to grant ROWs for roads and trails and “such other necessary transportation or other systems or facilities which are in the public interest and which require rights-of-way over, upon, under, or through such lands.”

## 1.4 SCOPE OF THE ANALYSIS

### 1.4.1 The EIS Decision Framework

NEPA requires federal agencies, in their decision-making processes, to consider the impacts of their proposed actions on the human environment and to consider reasonable alternatives to those actions. The intent of NEPA analyses is to disclose the effects of federal actions and to inform agency decision makers. To meet NEPA requirements, federal agencies must prepare a detailed statement—in this case an EIS—describing the direct, indirect, and cumulative effects of their proposed actions and alternatives to those actions on the human environment. The EIS must also describe 1) any unavoidable or residual (i.e., unable to be mitigated) adverse impacts that would result from implementing the Proposed Action or alternatives; 2) the relationship between the short-term uses of the land (i.e., the Proposed Action and alternatives) and the long-term productivity of the human environment; and 3) any irreversible and irretrievable commitments of resources that would result from implementing the Proposed Action or alternatives.

The preparation of an EIS is a process consisting of the following general steps:

- Issue the Notice of Intent (NOI) to prepare an EIS
- Conduct public and agency scoping
- Prepare, identify a preferred alternative, and issue the Draft EIS
- Conduct public review and comment on the Draft EIS
- Prepare and issue the Final EIS, including responses to comments
- Hold a 30-day waiting period
- Issue a ROD; the ROD explains the rationale for the selected alternative

This EIS analyzes and discloses the environmental impacts of the Proposed Action, the No Action, two action alternatives, and two sub-alternatives (all alternatives are described in detail in Chapter 2). It is intended to encourage public participation in the BLM's decision-making process. It provides an analysis of impacts that would result from the implementation of the Proposed Action and other alternatives, and it identifies mitigation measures to address environmental consequences. This EIS does not contain final decisions regarding the Proposed Action or other alternatives.

The analysis contained in Chapters 3 and 4 of this EIS is organized by resource and resource use. Each resource or resource use is geographically bounded by a unique analysis area, which is defined at the beginning of each resource section in Chapter 3.

## 1.4.2 Decisions to Be Made Through this EIS

Decisions made regarding the Proposed Action and alternatives will be documented in a ROD signed by the authorized officer, the Field Manager for the BLM Lower Sonoran Field Office. The BLM decision will apply only to federal public lands.

In the ROD, the BLM Lower Sonoran Field Manager will determine the following:

- Whether the analysis contained in this EIS is adequate for the purposes of reaching an informed decision regarding the ROW application.
- Whether to approve the Proposed Action, select a different alternative, select a combination of alternatives, or deny the ROW request.
- Whether the Proposed Action and alternatives are in conformance with applicable land and resource management plans.
- What the appropriate terms and conditions are (including mitigation and monitoring requirements), if the ROW is approved.

Further, a plan of development (POD) and constituent plans will be referenced in the ROD and attached as an appendix to the ROD.

## 1.5 REGULATORY AUTHORITY AND RESPONSIBILITY

The BLM's planning process is governed by the FLPMA (43 USC 1701 *et seq.* and 43 Code of Federal Regulations [CFR] 1600), which governs the administrative review process for most BLM decisions. Land use plans ensure that BLM-administered public lands are managed in accordance with the intent of Congress as stated in FLPMA and under the principles of multiple use and sustained yield. As required by FLPMA, public lands must be managed in a manner that 1) protects the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; 2) where appropriate, preserves and protects certain public lands in their natural condition and provides food and habitat for fish and wildlife and domestic animals; and 3) provides for outdoor recreation and human occupancy and use by encouraging collaboration and public participation throughout the planning process. In addition, public lands must be managed to help meet the nation's needs for domestic sources of minerals, food, timber, and fiber from public lands.

Land use plans are the main mechanism for guiding BLM's activities to achieve the mission and goals outlined in the DOI's *GPRA Strategic Plan, Fiscal Years 2007–2012* (Strategic Plan) (DOI 2007).

The *Lower Sonoran Resource Management Plan* (Lower Sonoran RMP) (BLM 2012a) is the current land use plan for the project area.

## 1.6 LEAD AND COOPERATING AGENCIES

The BLM is the lead federal agency responsible for preparing this EIS and the associated analyses. The Lower Sonoran Field Office is the lead office, responsible for consultations required by Section 7 of the Endangered Species Act of 1973 (ESA), as amended, and Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended.

Cooperating agencies include those federal, state, or local agencies that have jurisdiction by law and/or special expertise. Those with jurisdiction by law will make their own decisions to approve or deny all or part of the SVPP. Those with special expertise or information have assisted and will continue to assist in the development of the analysis. Chapter 5 includes a list of agencies invited to participate as “cooperating agencies;” six agencies have accepted. The six cooperating agencies for this project include the Arizona Game and Fish Department (AGFD), ADOT, MAG, ASLD, Flood Control District of Maricopa County (FCDMC), and the City of Maricopa.

## 1.7 RELATIONSHIP TO POLICIES, PLANS, AND PROGRAMS

This EIS was prepared in accordance with NEPA and in compliance with Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500–1508) and DOI requirements (43 CFR 1600, Department Manual 516, guidelines listed in the BLM NEPA Handbook H-1790-1 [BLM 2008a], and the BLM Land Use Planning Handbook H-1601-1 [BLM 2005a]).

### 1.7.1 Conformance with Existing BLM Resource Management Plans

The Proposed Action would be located in the Lower Sonoran Planning Area. The original ROW application was filed in 2008, at which time the *Lower Gila South Resource Management Plan/Environmental Impact Statement* (1988 Lower Gila South RMP/EIS) (BLM 1988, as amended BLM 2005b) was the managing RMP for the Lower Sonoran Field Office. Currently, this planning area is managed under the Lower Sonoran RMP, approved in September 2012. The Lower Sonoran RMP provides guidance for the management of over 930,000 acres in south-central Arizona.

### 1.7.2 Conformance with Lower Sonoran RMP

The Lower Sonoran RMP directs management of the federal surface and mineral estate managed by the Lower Sonoran Field Office, primarily within Maricopa County but also including portions of Pinal, Pima, Yuma, and Gila Counties. The RMP allows for multiple uses of public lands and does not prohibit the development of transportation systems on public lands.

Although the Proposed Action and alternatives are not specifically mentioned in the Lower Sonoran RMP, they are consistent with the plan’s objectives, goals, and decisions (see discussion below in Chapter 2, Section 2.2.2.2). BLM completed the Lower Sonoran RMP conformance analysis on May 11, 2012. An RMP conformance analysis consists of a cross-check with the Proposed Action (i.e., constructing and operating a Parkway on BLM lands) and BLM management prescriptions that would occur on the BLM lands where the Proposed Action would be located (e.g., grazing allotments and land uses). No alternatives that would conflict with the Lower Sonoran RMP have been considered.

The proposed Parkway is not specifically mentioned in the Lower Sonoran RMP; however, the proposed project is consistent with the plan’s objectives, goals, and decisions and would not require a plan amendment. As specified in the Lower Sonoran RMP and in Section 2.2.2.2 below, linear transportation projects are not required to be located within a designated utility corridor but are allowed to be located within a utility corridor.

The Proposed Action and alternatives are partially located within the EPNG multi-use corridor (Figure 1-2). The EPNG multi-use corridor was designated a Section 368 Corridor by the Energy Policy Act of

2005. The Lower Sonoran RMP does not prohibit major linear land use authorizations (LUAs), such as a Parkway, within the EPNG multi-use utility corridor.

### 1.7.3 Conformance with Statutes and Regulations

The following is a summary of selected statutes, regulations, and executive orders (EOs) applicable to a project such as the proposed SVPP.

**American Antiquities Act of 1906.** This act seeks to protect historic and prehistoric ruins, monuments, and objects of antiquity and scientific interest on lands owned or controlled by the federal government by imposing misdemeanor-level criminal penalties.

**American Indian Religious Freedom Act.** The American Indian Religious Freedom Act (AIRFA) says that on and after August 11, 1978, “it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.” This law is designed to protect American Indians rights of religious freedom. It does not mandate that American Indian concerns are paramount but requires that the federal government consider such concerns in its decisions.

**Arizona Native Plant Law.** The Arizona Native Plant Law (ANPL) states that “a person shall not take, transport or possess any protected native plant taken from the original growing site in this state without possessing a valid permit issued by the Arizona Department of Agriculture [ADA]” (Arizona Revised Statutes [ARS] 3-906). The ANPL applies to listed plants that are naturally occurring, but not to landscaped or planted individuals. Native plants that are protected by the ANPL include all cacti, yucca, agave, and many leguminous tree species such as paloverde, mesquite, and ironwood.

**Archaeological Resources Protection Act of 1979, as amended.** This act provides for protection of archaeological resources on federal lands. The act requires permits for the excavation or removal of federally administered archaeological resources and encourages cooperation between federal agencies and private individuals in identifying and protecting important resources. In addition, the act invokes penalties for excavating, removing, damaging, or defacing any archeological resources older than 100 years on public or Indian lands.

**Clean Air Act of 1963, as amended.** The Clean Air Act (CAA) requires any federal entity engaged in an activity that may result in the discharge of air pollutants to comply with all applicable air pollution control laws and regulations (federal, state, or local). This act directs the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for six different criteria pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), particulate matter (PM), sulfur oxides, nitrogen oxides (NO<sub>x</sub>), and lead. Maricopa County Air Quality Rules (MCAQR) outline measures to be incorporated into construction specifications to minimize potential dust emissions. Rules 310 and 310.01 of the MCAQR include work practice standards to ensure that emissions from fugitive dust sources, such as open areas, vacant lots, unpaved parking lots, and unpaved roadways, are minimized to the extent practicable. An earthmoving permit and a dust control plan are required for any operations that disturb a total surface area greater than or equal to 0.10 acre.

**Clean Water Act of 1977, as amended.** Section 404 of the Clean Water Act (CWA) identifies conditions under which a permit is required for construction projects that result in the discharge of fill or dredged material into waters of the U.S. (WUS). There are some jurisdictional WUS within the project area; once an alternative is selected by the BLM, the City will submit the necessary jurisdictional delineations to the U.S. Army Corps of Engineers (USACE) and obtain the required permits prior to any discharge into WUS. Section 402 of the CWA identifies conditions under which a permit is required for the discharge of



pollutants from a point source into WUS. The National Pollutant Discharge Elimination System (NPDES) stormwater permitting rule requires all operators of construction activity that disturbs 5 or more acres of land to apply for an NPDES stormwater permit.

**Endangered Species Act of 1973, as amended.** Section 7 of the ESA requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) to ensure that undertaking, funding, permitting, or authorizing an action is not likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat, as defined under the act, exists only after USFWS officially designates it. Critical habitats are 1) areas within the geographic area that have features essential to the conservation of the species and that may require special management consideration or protection; and 2) those specific areas outside the geographic area occupied by a species at the time it is listed that are essential to the conservation of the species.

**Energy Policy Act of 2005, Public Law (PL) 109-58 (House Rule 6), enacted August 8, 2005.** The Energy Policy Act of 2005 directs the Secretaries of Agriculture, Commerce, Defense, Energy, and the Interior to designate under their respective authorities federal land for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities (energy corridors).

**Executive Order 11988, Floodplain Management, May 24, 1977.** EO 11988 requires federal agencies to avoid to the extent possible both long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

**Executive Order 11990, Protection of Wetlands, May 24, 1977.** EO 11990 requires federal agencies or federally funded projects to restrict uses of federal lands for the protection of wetlands through avoidance or minimization of adverse impacts. The EO was issued to “avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands whenever there is a practicable alternative.”

**Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.** This EO directs federal agencies to identify and address, as appropriate, disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority populations and low-income populations.

**Executive Order 13007, Indian Sacred Sites, May 24, 1996.** This EO requires that all Executive Branch agencies (including BLM) having responsibility for the management of federal lands will, where practicable, permitted by law, and not clearly inconsistent with essential agency functions, provide access to and ceremonial use of Indian sacred sites by Indian religious practitioners and will avoid adversely affecting the integrity of such sacred sites. The EO also requires that federal agencies, when possible, maintain the confidentiality of sacred sites.

**Executive Order 13112, Invasive Species, February 3, 1999.** This EO seeks to improve coordination between federal agencies in efforts to combat invasive plant and animal species. EO 13112 established the National Invasive Species Council as a high-level, interdepartmental federal advisory panel to provide leadership and planning in the prevention and control of invasive species nationwide.

**Executive Order 13274, Environmental Stewardship and Transportation Infrastructure Project Reviews, September 18, 2002.** The goal of this EO is to promote environmental stewardship in the nation’s transportation system and to streamline the environmental review and development of transportation infrastructure projects. An interagency task force monitors the environmental reviews of certain high-priority projects.

**Farmland Protection Policy Act of 1994.** This act is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. For the purpose of the act, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland does not have to be currently used for cropland to be subject to the act's requirements. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.

**Federal Land Policy and Management Act of 1976.** Section 1701 of the FLPMA mandates that the BLM manage public lands on the basis of multiple use and sustained yield. The FLPMA recognizes grazing as a valid use of the public lands and requires BLM to manage livestock grazing in the context of public use.

**Fish and Wildlife Coordination Act of 1934, as amended.** This act requires coordination with federal and state wildlife agencies (USFWS and AGFD) for the purpose of mitigating losses of wildlife resources caused by a project that impounds, diverts, or otherwise modifies a stream or other natural body of water.

**Migratory Bird Treaty Act of 1918, as amended.** The Migratory Bird Treaty Act (MBTA) provides for the protection of migratory birds and prohibits their unlawful take or possession. The act bans "taking" any native birds; "taking" can mean killing a wild bird or possessing parts of a wild bird, including feathers, nests, or eggs. Exceptions are allowed for hunting game birds and for research purposes, both of which require permits.

**National Environmental Policy Act of 1969, as amended.** NEPA requires federal agencies to take into consideration the environmental consequences of proposed actions as well as input from state and local governments, Indian tribes, the public, and other federal agencies during their decision-making process. The CEQ was established under NEPA to ensure that all environmental, economic, and technical considerations are given appropriate consideration in this process.

**National Historic Preservation Act of 1966, as amended.** Major federal projects must comply with Section 106 of the NHPA, which mandates that potential impacts to significant historic properties be considered prior to approval of such projects. Significant historic properties are defined as sites, districts, buildings, structures, and objects eligible for the National Register of Historic Places (NRHP). Consideration of these resources is to be made in consultation with the relevant State Historic Preservation Office (SHPO) and other interested agencies and parties.

**Native American Graves Protection and Repatriation Act of 1990.** This act requires protection and repatriation of Native American cultural items found on, or taken from, federal or tribal lands and requires repatriation of cultural items controlled by federal agencies or museums receiving federal funds. Should previously unidentified cultural resources, especially human remains, be encountered during construction, work will stop immediately at that location and BLM's cultural resources staff will be notified to ensure proper treatment of these resources.

**Noise Pollution and Abatement Act.** This act requires that all federal agencies establish mechanisms for setting emission standards for source of noise, including motor vehicles, aircraft, etc. The act also enables local governments to address noise mitigation in land use planning efforts.

**Noxious Weed Act of 1974, as amended.** This act requires that all federal agencies develop a management program to control undesirable plants on federal lands under the agency's jurisdiction; establish and adequately fund the program; implement cooperative agreements with state agencies to coordinate management of undesirable plants on federal lands; and establish integrated management systems to control undesirable plants targeted under cooperative agreements.

**Public Range Improvement Act of 1978.** This act established a federal grazing fee formula.

**Safe Drinking Water Act of 1974, as amended.** Section 1424 of this act regulates underground injection into an aquifer that is the sole or principal drinking water source for an area.

**Taylor Grazing Act of 1934, as amended.** Section 315 and 315b of this act established grazing districts and grazing permits and fees. The act recognizes grazing as a valid use of the public lands and requires BLM to manage livestock grazing in the context of public use.

**Title 43 CFR Part 4100.** This governs regulations for grazing administration on public lands.

**Wild and Scenic Rivers Act of 1968.** This act requires consideration of wild and scenic rivers in planning water resource projects. Developing water resource projects is prohibited on any river designated for study as a potential component of the national wild and scenic river system.

## 1.7.4 Conformance with State Plans

The AGFD's *Arizona State Wildlife Action Plan: 2012–2022* (SWAP) (AGFD 2012) was a multi-year, multi-agency effort that allows for real-time management of the data that drive AGFD and partners' decision-making process and facilitates adaptive management of wildlife. The SWAP includes the implementation of HabiMap Arizona, a database of map layers that include statewide coverage. Wildlife linkages prescribed in the Lower Sonoran RMP include SWAP management considerations.

## 1.7.5 Conformance with County and Local Plans

The City (2007a) *Sonoran Valley Planning Area Proposed Major General Plan Amendment: City of Goodyear, Arizona* (City General Plan Amendment); City of Maricopa (2008) *Regional Transportation Plan*; MAG (2000) *Valley Vision 2025* and (2009) *Hidden Valley Transportation Framework Study*; Pinal County *Regionally Significant Routes for Safety and Mobility, Access Management Manual* (2008); and Rainbow Valley Area *Drainage Master Plan* (2010) were reviewed to determine the conformance of the proposed project with local planning goals and objectives. Applicable land use planning documents for the ASLD also were reviewed to determine project conformance. Throughout the study process, representatives from state and local jurisdictions and agencies have been actively involved with the project through monthly stakeholder meetings. Overall, the proposed project is, or will be, in conformance with established county and local land use plans.

The MAG (2010) *Regional Transportation Plan, Final 2010 Update* (MAG Regional Transportation Plan) includes the proposed ROW location as a ROW area of preservation. Coordination with MAG would continue throughout the design and implementation of the proposed project.

## 1.8 FEDERAL PERMITS, LICENSES, AND OTHER ENTITLEMENTS

Issuance of the proposed Sonoran Valley Parkway ROW would be authorized under the FLPMA (Title V [43 USC 1761–1771]). Table 1-1 lists all permits and approvals required for the proposed SVPP; this list includes permits and approval for federal and non-federal agencies.

**Table 1-1.** Summary of Permits and Approvals Required for the Sonoran Valley Parkway Project

| Permit/Approval   | Granting Agency                              |
|---|--|
| <b>Permits Required by the ROD</b>                          |  |
| ROW grant issued to the City                                | BLM  |
| Temporary use permit (for temporary construction areas)     | BLM  |
| CWA Section 404 Permit                                      | USACE  |
| Section 7 Consultation                                      | USFWS  |
| Cultural Resource Concurrence                               | Arizona SHPO                                 |
| <b>Permits Required for Road Construction</b>               |  |
| ROW acquisition   | Private landowners                           |
| ROW easement  | ASLD   |
| Arizona Pollutant Discharge Elimination System              | Arizona Department of Environmental Quality  |
| Dust Control Permit   | Maricopa County Air Quality Department       |
| Construction Permit (for ROW within Goodyear city limits)   | City   |
| Construction Permit (for ROW in unincorporated areas)       | Maricopa County Department of Transportation |
| Floodplain Use Permit (for ROW within Goodyear city limits) | City (FCDMC outside of Goodyear city limits) |
| Construction Permit (for ROW in unincorporated areas)       | City   |

## 1.9 PUBLIC PARTICIPATION PROCESS

### 1.9.1 Pre-scoping

The BLM and the City hosted three pre-scoping, informational meetings on March 11 and 12, 2008, to notify the public about the project. A summary of the meeting dates and locations is provided below:

- Tuesday, March 11, from 6:00–8:00 p.m. at Goodyear City Hall, 190 North Litchfield Road, Goodyear;
- Wednesday, March 12, from 3:00–5:00 p.m. at the Global Water Conference Center, 22590 North Powers Parkway, Maricopa; and
- Wednesday, March 12, from 6:00–8:00 p.m. at the Mobile Elementary School, 42798 South 99th Avenue, north of SR 238.

An open-house format was used. Several informational posters were on display that described potential alternative alignments. The informational meetings were advertised on the City website and via a press release to local media and newspapers 2 weeks before their scheduled dates. Members of the public were afforded opportunities to interact with City and BLM staff.

### 1.9.2 Scoping

The BLM has conducted internal, agency, and public scoping to solicit input and to identify the environmental concerns and issues associated with the SVPP. An NOI was published in the *Federal Register* on April 2, 2008. The BLM then prepared scoping information materials and provided copies to federal, state, and local agencies; Native American tribes; and members of the general public. Upcoming meetings and opportunities to comment were announced in various local news media. The BLM

1 conducted open houses to disseminate information, answer questions, and ask for comments on May 28,  
2 2008, in Goodyear and on May 29, 2008, in Maricopa and Mobile. The BLM also provided opportunities  
3 for comments to be submitted through U.S. Postal Service mail and via email.

4 The purpose of the public participation (scoping) process is to provide an opportunity for members of the  
5 public to learn about the proposed project and to share any concerns or comments they may have. Input  
6 from the public scoping process was used to help the City identify a range of alternatives with which to  
7 consult and collaborate with BLM within the context of the ROW process and NEPA. In addition, the  
8 scoping process helps identify any issues that are not considered major and that can therefore be  
9 eliminated from detailed analysis in the Draft EIS. The list of stakeholders and other interested parties is  
10 also updated and generally expanded during the scoping process.

11 The City and BLM Lower Sonoran Field Office hosted three scoping meetings on May 28 and 29, 2008,  
12 to provide the public with an opportunity to learn about the project and provide comments. A summary of  
13 the meeting dates and locations is provided below:

- 14 • Wednesday, May 28, from 6:00–8:00 p.m. at Goodyear City Hall, 190 North Litchfield Road,  
15 Goodyear;
- 16 • Thursday, May 29, from 3:00–5:00 p.m. at the Global Water Conference Center, 22590 North  
17 Powers Parkway, Maricopa; and
- 18 • Thursday, May 29, from 6:30–8:30 p.m. at the Mobile Elementary School, 42798 South 99th  
19 Avenue, north of SR 238.

20 An open-house format was used to encourage two-way dialogue and to encourage discussions about  
21 issues to be addressed in the SVPP EIS; concerns with the process; and development of the range of  
22 alternatives to be analyzed in the Draft EIS. Several informational posters were on display that described  
23 potential alternative alignments. A 30-day scoping comment period was provided to submit written  
24 comments related to SVPP EIS issues.

25 The scoping meetings were advertised in the *Federal Register* and the *City of Goodyear InFocus*  
26 *Newsletter*, as well as in a postcard mailing to the BLM stakeholder mailing list, 2 weeks before their  
27 scheduled dates. Members of the public were afforded opportunities to comment during the scoping  
28 period, including being given comment forms, a telephone number, and an email address. A total of 17  
29 individuals and organizations had commented at the close of the comment period.

### 30 **1.9.2.1 Additional Public Outreach**

31 As noted above, scoping meetings were held in 2008. Additional data gathering was conducted during  
32 2009 and 2010, and alternatives development was conducted during 2011 and 2012. A brief project  
33 newsletter was developed and posted to the BLM website in fall 2012 to update the public on the status of  
34 the project. A postcard with the BLM contact information and website link was also mailed to  
35 stakeholders on January 28, 2013.

### 36 **1.9.2.2 Public Issues**

37 The following table provides a summary of environmental and other issues identified by members of the  
38 public and by groups who submitted comments during the scoping period (April 2, 2008, through June  
39 13, 2008) for the SVPP EIS (Table 1-2).  
40

**Table 1-2. Summary of Public Issues Identified during Scoping**

|                                       |   |
|---------------------------------------|---|
| <b>Alternatives</b>                   | <p>Alignment should not preclude future development of proposed SR 303L and/or Hassayampa Freeway.</p> <p>Consider alternative that connects to the existing Estrella Parkway.</p> <p>Initially construct the Sonoran Valley Parkway as an unpaved road to provide quick access.</p> <p>Consider mass transit alternative.</p>  |
| <b>Air Quality</b>                    | The Sonoran Valley Parkway will exacerbate air quality problems in area.  |
| <b>Cultural Resources</b>             | Record historical sites found and display artifacts in a local museum.  |
| <b>Livestock Grazing Management</b>   | Mitigation for livestock grazing interests and range improvement projects should be provided by the City.   |
| <b>Noise</b>                          | Traffic noise should not be audible to recreationists in North Maricopa Mountains Wilderness Area.  |
| <b>Public Health and Safety</b>       | <p>The Sonoran Valley Parkway is essential to provide timely emergency services (i.e., fire, police, and ambulance) to residents of Mobile.</p> <p>There is a current potentially dangerous situation driving along EPNG maintenance road between Mobile and Goodyear.</p> <p>Pollution (O<sub>3</sub>) from traffic presents major danger to public health. The Sonoran Valley Parkway would lead to increased O<sub>3</sub> in the Phoenix metropolitan area.</p>                                   |
| <b>Recreation</b>                     | The Sonoran Valley Parkway would lead to an increase in unauthorized recreational off-highway vehicle traffic in the SDNM, which would be harmful to sensitive soils, plant life, and animals.  |
| <b>Social and Economic Conditions</b> | The Sonoran Valley Parkway would provide a viable transportation route for students from Mobile to attend high school in the City of Buckeye schools (Buckeye Union High School District), thus providing higher-quality education options.   |
| <b>Transportation and Access</b>      | <p>The Sonoran Valley Parkway should function in concert with future high-capacity roadways in the region.</p> <p>The Sonoran Valley Parkway would contribute to increased suburban sprawl and traffic congestion.</p>  |
| <b>Vegetation</b>                     | The Sonoran Valley Parkway would harm sensitive plant species.  |
| <b>Visual Resources</b>               | The Sonoran Valley Parkway would increase refuse along the Parkway from garbage trucks traveling to/from the landfill.  |
| <b>Wildlife</b>                       | <p>The Sonoran Valley Parkway would adversely affect wildlife; critical wildlife movement would lead to increased road kills, fragmentation of habitat, and reduction in biodiversity.</p> <p>The Sonoran Valley Parkway would lead to increased noise, light, air, and water pollution from traffic and would increase the risk of introduction of non-native species, diseases, and parasites.</p> <p>Water diversions and future infrastructure needs would further degrade sensitive habitat.</p> |

### 1.9.2.3 Agency Management Concerns

The following table provides a summary of agency management issues identified during the scoping period (April 2, 2008, through June 13, 2008) for the SVPP EIS (Table 1-3).

1 **Table 1-3. Summary of Agency Management Issues Identified during Scoping**

|                                       |  |
|---------------------------------------|--|
| <b>Air Quality</b>                    | Phoenix metropolitan area is currently in non-attainment for 8-hour O <sub>3</sub> and PM <sub>10</sub> as promulgated by the NAAQS.   |
|                                       | Air quality issues could include increased traffic congestion, construction-related impacts, and long-term usage along alternative routes.   |
|                                       | BLM should coordinate with Maricopa and Pinal Counties and State of Arizona to ensure consistency and compatibility with State implementation plan.  |
| <b>Cultural Resources</b>             | The EIS must consider the Congressionally designated Juan Bautista de Anza National Historic Trail and other historic trails within same corridor.   |
| <b>Livestock Grazing Management</b>   | The EIS should include an evaluation of the effect on existing grazing allotments.   |
| <b>Land Use</b>                       | The EIS should include an evaluation of the use of the designated utility corridor for transportation purposes in light of projected future utility infrastructure needs.  |
|                                       | The EIS should include an evaluation of the effect of the proposed road on current and future BLM realty actions.  |
| <b>Noise</b>                          | Implementation of any action alternative would lead to increases in noise in project area, both in the long and short term. Evaluate presence/absence of sensitive noise receptors and analyze duration and severity of noise impacts.   |
| <b>Recreation</b>                     | The EIS should include an evaluation of the recreational off-highway vehicle (OHV) use on lands designated closed to such use in the vicinity of the SDNM.   |
|                                       | The EIS should include an evaluation of the potential impacts to outdoor and wildlife-related recreation as a result of any changes to public access of public lands that may result from the SVPP.  |
|                                       | The EIS should include an evaluation of the potential damage to resources in the monument from OHV use, such as compaction of desert soils, increased erosion and runoff, and added threats to public health and safety.   |
| <b>Social and Economic Conditions</b> | The EIS should include an evaluation of development-related changes in population and demands for public transportation, education, and healthcare services.   |
|                                       | The EIS should include an evaluation of the additional connecting roads between the community of Mobile and the city of Maricopa, which may fuel growth and development in a rural area; will this result in changes to the social dynamics of the local rural population?   |
|                                       | The EIS should include an evaluation of the impact to minority populations.  |
|                                       | The EIS should include an evaluation of the changes in real estate property values, infrastructure and commercial development, recreation activities, and tourism.   |
| <b>Transportation and Access</b>      | The EIS should include an evaluation of the roadway alignments, existing and future traffic demands, and cumulative impacts to surrounding communities and public lands between the city of Goodyear and newly annexed portions to the south.  |
| <b>Visual Resources</b>               | The EIS should include an evaluation of the direct impacts to visual resources both from the road itself and from the sight of traffic along the road related to recreationists hiking or otherwise exploring the eastern portion of the SDNM.   |
|                                       | The EIS should include an evaluation of BLM Visual Resource Management objectives; the EIS should identify Key Observation Points and use these factors to analyze visual impacts.   |
| <b>Water Resources and Soils</b>      | The EIS should include an evaluation of the impacts to water resources and soils, including potential erosion effects associated with this project and the potential for runoff pollutants from vehicles (e.g., oil, gas, and other vehicle fluids) to infiltrate soils and potentially affect both surface water and groundwater.                               |
| <b>Wildlife</b>                       | The EIS should include an evaluation of the potential impacts to special-status species, Arizona Species of Greatest Conservation Need ( <i>Arizona State Wildlife Action Plan: 2012:2022</i> [AGFD 2012]), and riparian areas, to include desert wash systems.  |
|                                       | The EIS should include an evaluation of the wildlife movement corridors that cross proposed project alternatives, including road design and placement, arch span design and placement, identification of natural movement corridors, habitat loss, and maintenance of genetic diversity among existing bighorn sheep, mule deer, and other wildlife populations. |

The scoping process and public comments summary and analysis are documented in the April 2009 *Proposed Sonoran Valley Parkway Project Environmental Impact Statement Scoping Report* (BLM 2009b).

## 1.10 ISSUES FOR ANALYSIS

The internal and public scoping process determined the scope and key issues for analysis (40 CFR 1501.8) for this EIS. Issues raised and identified during scoping, including those issues that are not addressed in detail in this EIS, are summarized in the following sections.

### 1.10.1 Key Issues Carried Forward for Analysis

#### 1.10.1.1 Air Resources

Commenters indicated that if constructed, the SVPP could exacerbate air quality problems in the area, both from vehicle exhaust and increased particulates. Additionally, one commenter noted that the Phoenix metropolitan area is currently in non-attainment for 8-hour O<sub>3</sub> and PM<sub>10</sub>, as promulgated by the U.S. Environmental Protection Agency's (EPA's) NAAQS. As such, commenters indicated that issues related to air quality could include increased traffic congestion, construction-related impacts, and long-term usage along alternative routes. One commenter suggested that development of the EIS should be coordinated with Maricopa County, Pinal County, and the State of Arizona to ensure consistency and compatibility with the State Implementation Plan (SIP).

#### 1.10.1.2 Cultural and Heritage Resources

Commenters suggested that any historical sites found in the area (particularly those in the Lower Sonoran RMP-identified Special Cultural Resource Management Area) need to be recorded by a professional archaeologist and requested that any artifacts found be displayed in a local museum. Additionally, commenters indicated that the EIS must consider and protect the Congressionally designated Juan Bautista de Anza National Historic Trail (NHT) and other historic trails within the same corridor that would be impacted by incompatible developments as a result of the road and its associated infrastructure.

#### 1.10.1.3 Paleontological Resources

Commenters suggested that any paleontological resources (i.e., fossils) found in the area need to be inventoried and recorded by BLM paleontologists and requested that any artifacts that may be found be displayed in a local museum. Additionally, the Lower Sonoran RMP includes goals and objectives for managing paleontological resources.

#### 1.10.1.4 Soil Resources

Commenters indicated that the proposed SVPP may impact desert terrain (i.e., biological soil crusts). Additionally, the Lower Sonoran RMP includes goals and objectives for managing soil resources.

#### 1.10.1.5 Vegetation Resources

Commenters expressed concern that construction of the SVPP could harm sensitive plant species.



Commenters suggested that riparian areas in the Sonoran Desert and in the project vicinity can be important habitat for wildlife. Because the proposed Parkway potentially crosses numerous washes and drainages, there is the potential for construction of the Parkway to adversely impact these resources and reduce critical habitat.

#### **1.10.1.6 Visual Resources**

Commenters suggested that measures be taken to prevent the inadvertent scattering of plastic bags and other refuse along the Parkway from garbage trucks that may travel to and from the Mobile landfill.

Another commenter suggested that implementation of any action alternative could, to a greater or lesser degree, result in a direct impact to visual resources, both from the road itself and from the sight of traffic along the road, particularly for recreationists hiking or otherwise exploring the eastern portion of the SDNM, including the North Maricopa Mountain Wilderness Area. The commenter indicated that the EIS must evaluate BLM Visual Resource Management (VRM) objectives that would be affected by the proposed Parkway, identify key observation points (KOPs), and use these factors to analyze visual impacts.

#### **1.10.1.7 Water Resources**

Commenters suggested that the EIS evaluate impacts of the proposed roadway on water resources and soils, including potential erosion effects associated with this project and the potential for runoff pollutants from vehicles (e.g., oil, gas, other vehicle fluids) to infiltrate soils and potentially affect both surface water and groundwater.

Commenters also suggested given the geomorphology of the area, the washes and drainages are very fragile. Any Parkway crossing this area will inevitably create significant changes in these washes by diverting and concentrating flows, leading to the formation of new incised channels with substantial erosion and sedimentation.

#### **1.10.1.8 Wildland Fire Management**

Internal scoping suggested the proposed SVPP consider the effects on BLM wildland fire management. Additionally, the Lower Sonoran RMP includes goals and objectives for wildland fire management.

#### **1.10.1.9 Wildlife and Special-Status Species**

Commenters expressed concern that construction of the SVPP could harm sensitive wildlife in the area. In addition to direct impacts such as road kills, it would divide a critical wildlife movement corridor and lead to habitat fragmentation and a reduction in biodiversity. Other adverse effects on wildlife would include noise, light, air, and water pollution from traffic using the Parkway, along with the increased threat of introduction of non-native species into the area, diseases, and parasites. Water diversions (e.g., culverts and bridges across washes) and future utility infrastructure needs (e.g., electricity and natural gas lines) would further degrade sensitive habitat.

Another commenter indicated that wildlife movement corridors that cross the proposed project alternatives have been identified by the AGFD and the BLM's Lower Sonoran RMP. The commenter further suggested that some preliminary issues related to the corridors include Parkway design and placement, identification of natural movement corridors, habitat loss, and maintenance of genetic diversity among existing bighorn sheep, mule deer, and other wildlife populations.

### **1.10.1.10 Lands and Realty**

Commenters suggested that the appropriateness of use of a designated utility corridor for transportation purposes be evaluated, particularly in light of projected future utility infrastructure needs in the same geographic area. Commenters requested that a complete assessment be made of how the presence of the proposed road would affect current and future BLM realty actions.

### **1.10.1.11 Livestock Grazing**

Commenters indicated that the proposed road must be evaluated in terms of how it would affect existing grazing allotments. Namely, there was concern over how each of the alternatives would divide the Beloit and Conley grazing allotments and what mitigation would be necessary under each alternative to compensate for lost grazing lands, complete range improvement projects (wells, fences, tanks), and reduce conflicts between the public and livestock. Particularly, concerns on the potential for existing allotment Animal Unit Months (AUMs) to be reduced; mitigation for potential losses to range improvements; and mitigation for constructing BLM-approved fences along the proposed Parkway to prevent livestock–vehicle collisions.

### **1.10.1.12 Recreation Management**

Commenters suggested that the presence of the SVPP would lead to an increase in unauthorized, recreational off-highway vehicle (OHV) traffic into the SDNM, which would be harmful to sensitive soils, plant life, and animals within the monument. Commenters also expressed concern that illegal recreational OHV use on lands designated closed to such would become an increasing problem; issues related to the proposed Parkway could include potential additional damage to resources in the monument from OHV use, such as compaction of desert soils, increased erosion and runoff, and added threats to public health and safety. In addition, commenters expressed concerns for the potential of the SVPP to result in changes to public access of the public lands for hunting and other outdoor recreational pursuits.

### **1.10.1.13 Travel Management**

Commenters indicated that the SVPP should be constructed to function in concert with future high-capacity roadways in the region. Commenters also suggested that construction of the Sonoran Valley Parkway could contribute to increased suburban sprawl and traffic congestion.

Another commenter indicated that the primary purpose of the Parkway would be to provide transportation to and from the newly annexed portions of Goodyear that currently have limited access. Preliminary issues related to transportation include Parkway alignments, existing and future traffic demands, and cumulative impacts to surrounding communities and public lands.

### **1.10.1.14 Special Designations**

Commenters expressed concern that construction of one of the project alternatives could negatively impact nearby wilderness areas and the SDNM, particularly in regards to wildlife in these areas.

### **1.10.1.15 Noise**

Commenters expressed concern that construction of one of the project alternatives could increase the ambient noise in the nearby wilderness areas and the SDNM.

### **1.10.1.16 Hazardous Materials and Public Safety**

Commenters suggested that there could be hazardous material concerns along the proposed Sonoran Valley Parkway if waste management trucks from the Butterfield Station Landfill in Mobile inadvertently spread non-biodegradable litter along the road.

Some commenters expressed support for the proposed SVPP because they believe it is essential to providing timely emergency services (fire, police, ambulance) to the residents of Mobile. Commenters also indicated that residents of Mobile as well as others from outside the community have been using the existing, unpaved EPNG maintenance road to travel between Mobile and Goodyear. Because the natural gas pipelines are buried so close beneath the surface of this road, this is a potentially dangerous situation. Commenters stated that the Sonoran Valley Parkway needs to be completed soon to discourage drivers from using the gas pipeline road.

Commenters indicated that traffic-related noise from the proposed Parkway could be audible to recreationists and others in the North Maricopa Mountains Wilderness Area. Additionally, implementation of any action alternative would lead to increases in noise in the project area, both short term during road construction and long term as a result of traffic along the Parkway. Commenters suggested that the EIS must evaluate the presence or absence of sensitive noise receptors that may be affected by the proposed road and analyze the duration and severity of noise impacts. Commenters also indicated that Maricopa County is already a nonattainment area for O<sub>3</sub> and that O<sub>3</sub> pollution presents a significant danger to public health; it can damage lung tissue, causing pulmonary inflammation, impair lung development in young children, and contribute to the suffering of those who have asthma. Commenters expressed concern that traffic using the Sonoran Valley Parkway would lead to an increase in O<sub>3</sub> exceedances in the Phoenix metropolitan area.

Commenters suggested that the EIS evaluate the potential for increased incidence of fire from overheated vehicles spreading into areas adjacent to the proposed Parkway, including the SDNM, destroying resources and also posing a threat to public health and safety.

### **1.10.1.17 Social and Economic Conditions**

Commenters indicated that the SVPP will be necessary to provide a viable transportation route for students from Mobile to attend high school in the city (Buckeye Union High School District). Schools in the Buckeye Union High School District are considered to be of higher quality than other options.

Another commenter noted that the Phoenix metropolitan area is one of the fastest-growing urban areas in the United States. Population growth has exceeded projections and is expected to continue along an upward trend into the future. Social concerns include development-related changes in population and demands for public transportation, education, and healthcare services. Additional road(s) connecting to the community of Mobile and the city of Maricopa will fuel growth and development in a rural area and a developing small town. Changes to social dynamics of the local rural populations may be extensive. Minority populations may be impacted. Economic concerns center on real estate property values, infrastructure and commercial development, recreation activities, viability of livestock grazing operations, and tourism.

## **1.11 ISSUES NOT ANALYZED IN DETAIL**

Miscellaneous comments were dominated by themes of support or disagreement with the Proposed Action and action alternatives. Some commenters expressed explicit support for the proposed Parkway,

whereas others felt that public lands (State Trust or BLM) should not be used for the project. The following issues were not analyzed in detail.

### 1.11.1 Wild Horses and Burro Management

The nearest wild horse and burro management area is located at Painted Rock Reservoir, approximately 35 miles west of the project area. No wild horses or burros are located within or adjacent to the ROW corridor.

### 1.11.2 Wilderness Characteristics

Commenters suggested the effects of the proposed SVPP could extend beyond the ROW corridor, including the wilderness characteristics of the SDNM. The Lower Sonoran RMP includes goals and objectives for lands managed to protect wilderness characteristics. There are no lands managed to protect wilderness characteristics within or adjacent to the ROW corridor. The nearest lands managed to protect wilderness characteristics are located over 20 miles south of the project area (in addition to federally designated wilderness areas).

### 1.11.3 Mineral Resources

The project area surface and subsurface mineral rights are managed by the BLM. No active material pits, excavations, or explorations are currently being pursued within or adjacent to the ROW corridor.

## 1.12 CONSULTATION AND COORDINATION

During April 2012, BLM initiated Memorandum of Understanding (MOU) invitations to local municipalities and agencies, whose purpose would be to establish a formal SVPP cooperating agency partnership.

CEQ regulations (40 CFR 1508.5) define a cooperating agency as any federal agency (other than the lead agency) and any state or local agency or Indian tribe with jurisdictional authority or special expertise with respect to any environmental impact involved in a proposal. Because of the size and nature of the SVPP and the resources potentially affected by the proposed SVPP or alternatives, six agencies (federal, state, tribal, county, and local) with jurisdictional authority and/or applicable special expertise cooperated in the development of this Draft EIS.

The cooperating agencies assisted with Draft EIS preparation in a number of ways, including providing up-to-date and relevant studies and inventories, reviewing public involvement documents, identifying issues, assisting with the formulation of alternatives, and reviewing Administrative Draft EIS text and other Draft EIS materials (as specified in 40 CFR 1501.6[b]). Not all of the cooperating agencies participated in all aspects of the EIS preparation. As lead agency, BLM is responsible for the content of the EIS.

### 1.12.1 Arizona Department of Transportation

ADOT is responsible for statewide transportation planning, building, and operating a state highway system, and building and maintaining bridges. ADOT's statewide role is to assist policymakers by

1 providing objective information that helps them decide the best solutions to connect communities across  
2 Arizona with the full range of resources available.

3 While the Sonoran Valley Parkway, if constructed, would not become an ADOT-managed roadway  
4 (generally, Parkways are locally constructed, maintained, and managed), the Sonoran Valley Parkway  
5 would likely have a cumulative effect on other existing and future ADOT-managed roadways in the  
6 SVPA. Therefore, ADOT's expertise in new road construction and access to conceptual plans and designs  
7 of future roadways (namely, the future SR 303L and I-11 Freeway) provided an invaluable resource for  
8 the BLM and City during the SVPP NEPA process.

## 9 **1.12.2 Arizona Game and Fish Department**

10 In Arizona, the AGFD has jurisdictional authority over fish and wildlife conservation and management, as  
11 well as public uses and recreation relating to fish and wildlife conservation and management, including  
12 OHV use. AGFD is tasked with conserving, enhancing, and restoring Arizona's diverse wildlife resources  
13 and habitats and therefore has special expertise with respect to Arizona's wildlife. The AGFD participated  
14 in the public scoping process and collaborated with the BLM during pre-NEPA wildlife connectivity  
15 analysis. Because the SVPP has the potential to impact wildlife within Rainbow Valley and the SVPA,  
16 AGFD is a cooperating agency for this Draft EIS.

## 17 **1.12.3 Arizona State Land Department**

18 Approximately 105.3 acres of ASLD State Trust land would be located within the Sonoran Valley  
19 Parkway project area (as specified in Chapter 3, Lands and Realty analysis area). Although the ASLD  
20 lands would not be subject to BLM NEPA review, the City would nonetheless be required to have ASLD  
21 ROW authorization for any ASLD land that would be needed to construct, operate, and maintain the  
22 Sonoran Valley Parkway. Therefore, because of their special expertise regarding the resources within  
23 these lands and the State's interest in maximizing revenue from its trust lands, ASLD has been designated  
24 a cooperating agency.

## 25 **1.12.4 Arizona Historic Preservation Office**

26 BLM consults with the SHPO in accordance with Section 106 of the NHPA when BLM actions may  
27 affect cultural properties. Consultation has been initiated by letter in March 2013. After an inventory of  
28 the APE has been prepared, BLM will seek concurrence from SHPO on eligibility for the National  
29 Register of Historic Places (NRHP) and effect of the project activities. A treatment plan will then be  
30 prepared and submitted to the SHPO for review and comment. An approved treatment plan will be fully  
31 implemented prior to any surface-disturbing activities.

## 32 **1.12.5 Maricopa Association of Governments**

33 As the designated Metropolitan Planning Organization (MPO) for the Maricopa County Region, MAG is  
34 a metropolitan planning organization and the designated transportation planning authority for Maricopa  
35 County. The MAG Regional Transportation Plan (MAG 2010) is a comprehensive, performance-based,  
36 multimodal, coordinated RTP that provides a blueprint for transportation planning in the MAG region up  
37 to fiscal year (FY) 2026. Additionally, the RTP's transportation program maintains consistency with state  
38 and local planning growth patterns.

Included in the RTP are plans for SR 303L, a major transportation corridor with four general-purpose lanes and one high-occupancy-vehicle lane in each direction that would further the regional connectivity to other existing commuter roads. The City has provided recommendations to extend SR 303L from SR 30 south to connect with I-8. Depending on the final alignment of the southernmost portion of SR 303L, the SR 303L will likely serve as an important connection to and from the Sonoran Valley Parkway within the regional transportation network.

Similarly, but farther in the future than the SR 303L, I-11 (or Hassayampa Freeway) would connect Casa Grande, Arizona, to Las Vegas, Nevada, and is currently undergoing conceptual alignment studies, a portion of which would occur within the BLM-administered corridor that parallels the northeastern border of the SDNM. Therefore, because of their involvement in future transportation planning within the SVPA and region, MAG has been designated a cooperating agency.

## 1.12.6 Flood Control District of Maricopa County

FCDMC is responsible for overseeing the development and implementation of comprehensive flood hazard control measures in Maricopa County. One mode in which FCDMC performs its duties is through the preparation and implementation of Area Drainage Master Plans. FCDMC recently completed the *Rainbow Valley Area Drainage Master Plan* (FCDMC 2011), which encompasses the BLM lands in which the SVPP would be located if a ROW were granted. In addition, Waterman Wash, the major drainage of Rainbow Valley, serves as the drainage to the Gila River and would be crossed or paralleled by the SVPP, depending on the alternative implemented if a ROW were granted by BLM. Because of Waterman Wash's relatively natural and undisturbed state, identification as a wildlife corridor by AGFD and the BLM, and the fact that FCDMC has committed a substantial effort to the *Rainbow Valley Area Drainage Master Plan*, FCDMC has been designated as a cooperating agency.

## 1.12.7 Native American Tribes

The BLM consults with Native American tribes to identify cultural values and religious beliefs that may be affected by BLM actions. The NHPA is the basis for tribal consultation provisions. The BLM used a two-phase approach to fulfill the objective of consultation with Native American tribes and identification of any traditional cultural properties (TCPs) within the project area. Tribal consultation has occurred throughout the EIS process. In June 2008, Native American consultation letters were sent to five tribes initiating consultation under NEPA, NHPA, and AIRFA. The Gila River Indian Community, Salt River Pima-Maricopa Indian Community, Tohono O'odham Nation, Ak-Chin Indian Community, and Hopi Tribe were included in this consultation effort. The Hopi Tribe sent a response letter in August 2008.

In April 2012, a letter updating the status of the project was sent to the tribal chairs and associated cultural staff. Follow-up telephone calls will be made in order to provide information and solicit comments on the project or areas affected. The following tribal governments were sent letter updates: Gila River Indian Community, Salt River Pima-Maricopa Indian Community, Tohono O'odham Nation, Ak-Chin Indian Community, and Hopi Tribe. The Hopi Tribe sent a response letter in May 2012.

## 1.12.8 U.S. Fish and Wildlife Service

The USFWS is the federal agency with jurisdictional authority concerning listed threatened and endangered, proposed, and candidate species, conservation agreement species, and critical habitat under the ESA; bald and golden eagles under the Bald and Golden Eagle Protection Act of 1940, as amended; and migratory birds under the MBTA.

During the Draft EIS process, the role of USFWS is to provide input and recommendations regarding the special-status species and critical habitat that could be impacted by the proposed SVPP. The ESA requires all federal agencies to participate in the conservation of endangered species. Specifically, Section 7 of the ESA charges federal agencies to aid in the conservation of listed species and to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitat. In addition, the BLM cannot undertake actions that will lead to the listing of a species under the ESA. Because of the potential for the SVPP to impact listed threatened and endangered, proposed, and candidate species, BLM will conduct Section 7 consultation with USFWS; however, USFWS declined invitations to become a designated cooperating agency.

### **1.12.9 City of Maricopa**

The city of Maricopa is located approximately 8 miles east of the community of Mobile on SR 238. The City of Maricopa has been intimately involved with RTP public involvement, county-level planning, and ADOT transportation planning. Currently, Maricopa includes two points of access from the greater Phoenix metropolitan area: one from the northeast and one from the west. The SVPP, if constructed, would provide a vital third access point connection to the greater metropolitan Phoenix area. Therefore, the City of Maricopa has been designated as a cooperating agency.